

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LAMONT HAWKINS p/k/a “U-GOD”	:	CASE NO.: 08 Civ 00159 (JGK)
	:	
Plaintiff	:	
	:	
vs.	:	
	:	
WU MUSIC GROUP, LLC.	:	
	:	REPLY TO COUNTERCLAIM
Defendant	:	
	:	
WU MUSIC GROUP, LLC.	:	
	:	
Counterclaim Plaintiff	:	(ECF CASE)
	:	
vs.	:	
	:	
LAMONT HAWKINS p/k/a “U-GOD”	:	
	:	
Counterclaim Defendant	:	
	:	

Lamont Hawkins professionally known as “U-God,” plaintiff/counterclaim defendant in the above captioned action (hereinafter “Plaintiff”), by his undersigned attorneys, replies and responds to Wu Music Group, LLC’s, defendant/counterclaim plaintiff in the above captioned action (hereinafter “Defendant”), counterclaim contained in Defendant’s Answer to Plaintiff’s Complaint (hereinafter “Defendant’s Counterclaim”) as follows:

REPLY TO DEFENDANT’S COUNTERCLAIM

1. To the extent that the affirmative defenses set forth in paragraphs 49 to 51 of Defendant’s Answer contain factual allegations, Plaintiff denies each and every factual allegation contained therein.

2. Plaintiff states that paragraph 52 of Defendant’s Counterclaim does not contain factual allegations to which a response and/or reply is required. Notwithstanding

the foregoing, Plaintiff denies each and every allegation contained in paragraph 52 of Defendant's Counterclaim for which a response or reply is required.

3. Plaintiff denies each and every allegation contained in paragraph 53 of Defendant's Counterclaim.

4. Plaintiff denies each and every allegation contained in paragraph 54 of Defendant's Counterclaim.

AFFIRMATIVE DEFENSES TO DEFENDANT'S COUNTERCLAIM

First Affirmative Defense

5. Defendant's Counterclaim fails to state a claim upon which relief may be granted.

Second Affirmative Defense

6. Defendant's Counterclaim is barred by the doctrine of unclean hands.

Third Affirmative Defense

7. Defendant's Counterclaim is barred by the doctrine of waiver and estoppel.

Fourth Affirmative Defense

8. Defendant's Counterclaim is barred by the doctrine of laches.

Fifth Affirmative Defense

9. Defendant's Counterclaim is barred because Defendant has failed, in whole or in part, to mitigate its damages.

Sixth Affirmative Defense

10. Defendant's Counterclaim is barred because Defendant breached its contract with Plaintiff.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment dismissing Defendant's Counterclaim, in its entirety, and granting Plaintiff the relief requested in the Complaint.

Dated: New York, New York
March 17, 2008

Respectfully submitted,

s/Paul A. Chin
Paul A. Chin, Esq. (PC9656)
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233 Broadway, 5th Floor
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

On the 17th day of March 2008, a true and correct copy of PLAINTIFF'S REPLY TO COUNTERCLAIM was served via first-class mail, postage pre-paid, and placed in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, to the following the attorneys representing the Defendant:

Anthony Motta, Esq.
50 Broadway, Suite 2202
New York, NY 10004
Attorneys for Defendant

Dated: New York, New York
March 17, 2008

s/Paul A. Chin
Paul A. Chin, Esq. (PC9656)
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